CITY of ELGIN

COUNCIL MINUTES FOR JANUARY 13, 1998

COUNCILORS PRESENT- Kevin Cooper (arrived 7:30)
Pat McMullen
John Stover
Berta Churchill
Misty Bennett
Leroy Short
Rick Smith - Mayor

Call to Order
The meeting was called to order at 7 pm by Mayor Rick Smith.

Approval of Minutes
The Mayor called for approval of the minutes of the meeting of December 9, 1997.
Councilor Stover noted that the minutes did not record the Councilor who was second to the motion regarding occupying the new offices. The Recorder's notes show that Councilor McMullen was second. It was also noted that Councilor Cooper was absent from this meeting. Councilor Stover moved to approve the minutes with the corrections as noted, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Supervisors Reports
The Mayor called for the supervisors reports.

Police- Chief Sibley deferred his report to the new business portion of the meeting.

Public works- Kyle Boylen; absent, no report.

Library- Annette Howell reported that she and Beverly Gordon had been keeping the library open during Sandy's absence. She said that Sandy was expected to return next week.

Fire- Chief McDonald reported that there had been some damage to the brick work on the front of the fire hall where a fire truck had been backed into the door post. He also reported that the new fire truck would be available on February 17. Pat and Lee McDonald will fly out to the factory in Michigan and drive the truck back.

Ambulance- Merle Laci: absent no report.

Municipal Court- Ralph Howell noted that since Vicki was on vacation, there had been only one Court in December, with just two cases.

Recorder/Administrator- Joe Garlitz reported that the refinancing bonds for the sewer system had been closed as planned. The effective interest rate was 5.58%, essential the same rate that we were paying Rural Development (FmHA).

Citizens to Speak
Margaret Davidson of Community Connections, was present to discuss a proposed housing project. It is proposed to build senior & handicap apartment building. The suggested site is the "Lucky Duck" property on N 15th across from Highland View Apartments. After discussion Councilor Stover moved to have the City Council go on record as supporting a Senior Citizen housing project for Elgin, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Hearing
7:15 Minor partition

Robert Wiles and Dennis Cross have requested to divide out a lot of 100'x 100', for residential use, from a lot approximately 200'x 200'. The lot in question is located at the Northwest corner of the intersection of Birch and S 19th. The lot is zoned residential. The partitioned lot would be on S 19th.

Dell Parsons had a question about the availability of sewer for the lot. Sewer is available in S 19th at the proposed lot. Water is located in Birch 250' south of the lot.

Dorothy Dempsey wanted to know what use was proposed for the lot. It was explained that it would be for a single family dwelling. Julia Luse stated, by letter, that she had no objection to the proposal.

After the Council had received testimony from all who wished to speak, Councilor Stover moved to approve the partition as proposed, with Councilor Short as second. The vote was unanimous for approval, motion carried.

(Councilor Cooper arrived at this time.)
Citizens to Speak, continued;

Kevin Collier appeared for Dan Reynolds, regarding trading the location of sub-standard mobile home. Mr. Reynolds has two lots, each with pre-existing substandard trailers. He is interested in removing the trailer from one lot and disposing of it. He then would like to move the trailer from the second lot and place it on the first lot. He would then install trailer that will meet the current standards on the second lot. The net effect is to replace one substandard trailer with trailer that meets the new standards.

Councilor Stover questioned whether the Council had the authority to grant permission for this. Mayor Smith tabled the matter and asked the Recorder to investigate the matter further.

Committee Reports
The Mayor then called for the committee reports.

Administration: Councilors Cooper and Stover stated that the bills had been reviewed.

Public Works: Councilors McMullen and Churchill noted that the snow removal had gone very well, with just a few minor complaints that were immediately addressed.

Public Safety: Councilors Short and Bennett, no report.

Old Business
MOU, ODOT and City re. access to Highway 82.

Tom Schuft of the Department of Transportation has submitted a redraft of a memorandum of understanding. The memo addresses the concerns of the City regarding access standards and permits for access to Highway 82 within the City. The draft MOU recognizes that City streets enter the Highway at intervals of about 250'. It also recognizes that properties fronting the highway use the highway as the primary access, and that such properties will be given "reasonable access" to the highway. Councilor Cooper expressed some concern about the escape clause in the memo. It says that either party can terminate the agreement with simple notification to the other party. The concern is, if there is no binding requirement to stay in the contract, does it in fact have any merit.

After discussion, Councilor Cooper moved to approve the Mayor's signature on the agreement as presented, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Billing agreement, Elgin Ambulance and GR Hospital

The billing agreement for dual dispatch patients was, again, presented to the Council. After discussion, Councilor Stover moved to accept the agreement as presented, with Councilor Churchill as second. The vote was five for approval, with Councilor Cooper and Mayor Smith voting in opposition, motion carried.

New Business

Police policies re. personal stops and searches and inventory of vehicle contents when impounded.

Chief Sibley presented policies and procedures to protect the civil rights of individuals that are stopped by a police officer and become the subject of a personal search. After discussion, Councilor Stover moved to adopt the procedures as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Chief Sibley presented policies and procedures regarding inventorying vehicles that are subject to impoundment. The policies are to insure that the personal property contents of the vehicle are accounted for and that no undue danger exists to the officers or towing agents from hazardous materials being carried in the vehicle. After discussion, Councilor Short moved to approve the policies and procedures as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Chief Sibley reported that he had investigated the possibility of enforcing the "double fines" in school zones. To implement this law, the School District must make the request to ODOT. The highway department will then install the required notification signs and bill either the City or the School for the cost.
No further action was taken at this time.

Colleen Robinson presented a package store license for approval by the Council.
She is planning to make and sell gift baskets that contain cheese, crackers,

bottled wine and other items. She anticipates her customers will be real estate companies and other companies that would present these baskets to their clients. The baskets will be put together in her home and delivered by herself or shipped by a delivery service to the purchaser. This business is not to be a walk-in retail business. After discussion with Ms. Robinson, Councilor Short moved to approve the license as presented, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Correspondence

Jack and Georgia Shaffer submitted a written request to vacate an undeveloped portion of Beverly Terrace from 16th west to the City limits. The Council had considered a similar request in the past. After an extended discussion regarding the pros and cons, Councilor Stover moved to table the matter, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Good of the Order

Councilor Cooper moved to approve the bills as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Mayor Smith recessed the meeting to conduct an executive discussion per, ORS 192.660 regarding personnel. Mayor Smith reconvened the meeting. No action was required.

Mayor Smith noted that Mo Deshuri of ODOT had requested an opportunity to meet with the business owners that would be impacted by a paving project scheduled for this summer. The Mayor requested that the meeting be scheduled for January 27.

Councilor McMullen moved to adjourn, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Minutes respectfully submitted;

Joe Garlitz,
Recorder/Administrator

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